Smathers Bill - Text

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

RECEIVED
NAEB HEADQUARTERS
MAY 1 1958
AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

April 29, 1958

Dr. Harry J. Skornia
Executive Director, NAEB
14 Gregory Hall
University of Illinois
Urbana, Illinois

Dear Harry

Enclosed is a copy of the Smathers Bill.

Sincerely

Paul Dobin

Enclosure

85TH CONGRESS
1ST SESSION

S. 2834

IN THE SENATE OF THE UNITED STATES

AUGUST 21, 1957

Mr. SMATHERS introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

A BILL

To provide that a license for a radio or television broadcasting station shall not be granted to, or held by, any person or corporation engaged directly or indirectly in the business of publishing music or of manufacturing or selling musical recordings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 310 of the Communications Act of 1934 (47 U. S. C. 310) is amended by adding at the end thereof a new subsection as follows:

"(c) (1) No construction permit or license for a broadcasting station shall be granted to or held by—

"(A) any person or corporation engaged in, or

which owns any interest in a corporation engaged in, the business of publishing music or of manufacturing or selling recordings of musical compositions;

"(B) any corporation which directly or indirectly is controlled by any person or corporation engaged in the business of publishing music or of manufacturing or selling recordings of musical compositions; or

"(C) any corporation which directly or indirectly is controlled by any person or corporation which directly or indirectly controls any corporation engaged in the business of publishing music or of manufacturing or selling recordings of musical compositions.

"(2) For purposes of paragraph (1), the term 'control' means, with respect to any corporation, the ownership of more than 50 per centum of the voting stock of such corporation, or the ownership of any property (including voting stock of such corporation) by reason of which a majority of the members of the board of directors of such corporation may be elected.

"(3) If any licensee is in violation of paragraph (1) on the date of the enactment of this subsection, the provisions of paragraph (1) shall be suspended with respect to such licensee, for such time as the Commission determines to be

reasonable in each case, to enable such licensee to dispose of the property which causes him to be in violation of such paragraph or to transfer or surrender his license pursuant to the provisions of this Act."

85TH CONGRESS
1ST SESSION

S. 2834

A BILL

To provide that a license for a radio or television broadcasting station shall not be granted to, or held by, any person or corporation engaged directly or indirectly in the business of publishing music or of manufacturing or selling musical recordings.

By Mr. SMATHERS

AUGUST 21, 1957

Read twice and referred to the Committee on Interstate and Foreign Commerce

From NEA

Smathers Bill

RECEIVED
NAEB HEADQUARTERS
MAY 12 1958
PM

BEFORE THE SUBCOMMITTEE ON

COMMUNICATIONS - SENATE COMMITTEE

ON INTERSTATE AND FOREIGN COMMERCE -

Washington, D. C.

May 7, 1958

My name is Marcus Cohn. I am a partner in the law firm of Cohn and Marks, Cafritz Building, Washington, D. C. I appear on behalf of The National Association of Educational Broadcasters, popularly known as the NAEB. The NAEB is an association composed primarly of universities and colleges operating radio broadcasting stations, either standard, FM or television. These stations are all operated on a non-profit or non-commercial educational basis. At the present time, its membership includes licensees of over 150 radio and television stations or those holding construction permits for such stations and the Association has more than 500 additional individual and associated members. The Association has appeared and presented its views to the Congress in the past on matters which might affect educational broadcasting and the interests of its members.

My purpose in appearing before you is not to urge either the adoption or rejection of the basic objectives of S.2834, but to point out that under the language as it is presently drafted, the bill, if it is adopted, would have a serious and, I am sure, unintended adverse effect on the operation of non-profit and non-commercial educational broadcasting stations conducted by educational institutions which are members of the Association.

As you no doubt are aware, many universities and colleges maintain university presses which publish, from time to time, scholarly works and books. Among other things, these university presses from time to time publish scholarly works of music, musical compositions and books on music.

Thus, the University Press of the University of Michigan at Ann Arbor, Michigan, has published musical compositions by Ross Lee Finney and Louise Cuyler. The University of Michigan Press anticipates continuing the publication of such musical compositions when scholarly scripts are available or new compositions appear which the University feels it appropriate to publish.

The State University of Iowa also maintains a University Press which has as one of its projects the publication of original symphonies and other musical works. One of the outstanding departments at the University of Iowa is its Department of Music and an important activity in this Department is musical composition. Musical compositions are even accepted by the University as dissertations at the Ph. D. level. The University hopes to be able to publish those compositions of students and faculty members which are worthy of distribution by its press and which other publishing houses do not see fit to publish. Any action by the

Congress which would hamper the printing of such music or musical compositions by university presses such as that operated by the University of Iowa would, indeed, stifle creative American musical activity.

Another university which publishes music from time to time is the University of Wisconsin located at Madison. The University has prepared two or three recordings featuring Wisconsin songs and music when it was not profitable for a commercial producer to engage in the manufacture of such recordings. The main purpose of the University in producing these records is not profit but to insure the availability of the music.

More important, the University publishes music in connection with the direct operation of its broadcasting stations. The University of Wisconsin operates Stations WHA and WHA-FM in Madison. These broadcasting operations are part of a state-wide educational broadcasting network which includes some ten standard broadcast and FM educational broadcast stations.

One of the activities of Station WHA is the Wisconsin School of the Air. In connection with this School of the Air the University of Wisconsin publishes a song book covering the music sung by children in the classrooms. A teacher's piano accompaniment book is also printed and

distributed under the University's auspices. I have with me here today a sample songbook entitled "Journeys in Music Land." It is a children's songbook prepared by Edgar B. Gordon and it is copyrighted by the University of Wisconsin. This individual book was for a program which was scheduled on Wednesdays at 1:30 to 2:00 p.m. for Grades 4 to 8. On Page 2 there is an interesting picture of Mr. Gordon together with boys and girls of the Wisconsin schools. You will also note that the book contains interesting information on teaching children musical notation (See Pages 22 to 30). A list of the broadcasts with which this book was used is contained on Page 31. I hand this book up to you so that you may examine it.

We have also been informed that some universities publish music through their alumni associations. Thus, from time to time, the University of Minnesota Alumni Association has published books of university football songs.

Needless to say, there are many other university presses in the United States and undoubtedly many of these other presses have, from time to time, published musical compositions or intend to publish musical compositions or issue special recordings.

Because of the fact that these university presses are operated by colleges and universities which are also licensees of radio broadcast stations, if the bill were adopted in its

present form these universities would be faced with the alternative of ceasing the publishing of musical compositions by their presses or giving up the educational broadcasting activities. I am sure that it is not the intent of this Committee or Congress to make impossible the publication of musical compositions or recordings by educational institutions through their presses because such educational institutions are also egaged in non-profit or non-commercial broadcasting. Any such result would produce an unwarranted and unjustified hardship on these institutions.

It is my understanding that the President of the Association of American University Presses, August Fruge, has written you to this effect and that you have also received a communication from the Director of University Relations of the University of Michigan calling to your attention how the bill, in its present form, would hamper the scope and activities of the Michigan University Press.

I have a general understanding of the purposes behind S.2834 and the alleged vices which it is attempting to correct. As I indicated at the outset of thic statement the National Association of Educational Broadcasters is neither supporting nor opposing the basic objectives of S.2834, but certainly the operations by the universities and colleges to both maintain university presses and operate

non-profit or non-commercial educational broadcast stations does not fall into the category of the alleged vices. My purpose in appearing here today is to request that the bill be amended so as to specifically exclude non-profit tax exempt educational institutions. This could be accomplished if another section were added to the proposed bill as follows:

> "The provisions of this paragraph shall not apply to any construction permits or licenses for a broadcasting station which shall be granted to or held by a non-profit or non-commercial tax exempt educational university, college, or institution."

Addition of this language would exclude these educational institutions whom I believe it is not the intention of the bill to cover.

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

May 7, 1958

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

Mr. Harry J. Skornia
Deshler Hilton Hotel
Broad & High Streets
Columbus, Ohio

Dear Harry

I have your letter of May 5th and I am herewith enclosing a number of copies of the statement on the Smathers Bill.

I testified this morning and everything went very smoothly. I feel confident that if the Bill is favorably reported, it will have a provision in it specifically exempting educational institutions.

I presented the statement for the record, then spoke extemporaneously for five or ten minutes. When I referred to the fact that the University of Michigan would be involved, Senator Potter immediately became very interested and assured me of his support for the amendment which we proposed.

Sincerely

Marcus Cohn

cc: Dr. Burton Paulu
Dr. Richard B. Hull
Mr. John Ervin, Jr.
Mr. Garnet R. Garrison
Mr. Frank E. Schooley

May 5, 1958

Mr. Marcus Cohn
Cohn and Marks
Cafritz Building
Washington, D. C.

Dear Marcus:

Thank you for copies of your fine presentation, May 7, regarding the Smathers Bill.

Could you bring or send (c/o the Deshler-Hilton Hotel) 15 copies for the Board, to save our having to restencil?

Looks like another fine job. Our thanks to you and Paul.

Sincerely,

Harry J. Skornia
Executive Director

HJS:cmc

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5860

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

May 2, 1958

RECEIVED
NAEB HEADQUARTERS
MAY 1958

Dr. Harry J. Skornia
Executive Director, NAEB
14 Gregory Hall
University of Illinois
Urbana, Illinois

Dear Harry

I am enclosing two copies of the statement which we have submitted on the Smathers Bill.

Sincerely

Paul Dobin

Enclosures

cc: Burton Paulu

TELEGRAM ✓

NIGHT LETTER

TO: Prof. August Frugé, University Press, University of Calfornia, Berkeley, California
FROM: Harry J Skornia

Our legal counsel preparing testimony Smathers Bill Hearing May 5. Would appreciate confirmation today that Pastore letter sent. Also number presses publishing music if known.

s/ H. J. Skornia
Executive Director
NAEB

SENT BY HJS

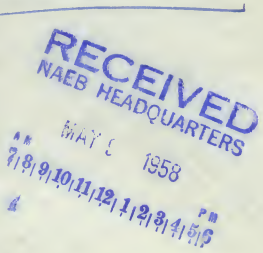
RECEIVED BY

PREPAID ✓ COLLECT

DATE April 29, 1958
TIME 11:30 A.M.

Iri Kellogg 4428 2544 2

Smathers Bill



Dear Marcus:

In response to Harry Skornia's request for information relating to the Smather Bill, Michigan State is not affected by the bill as it stands, inasmuch as our University Press does not publish music or manufacture or sell music records. However, we know at least that the University of Michigan Press is affected by this provision and there may be other college and university presses which would be hit through this restriction.

Michigan State would take the position that the bill should be modified to exclude the college or university presses, or those publishing activities conducted by a recognized and accredited educational institution. This at least would make it possible for any of the university presses to have some leeway in the future without jeopardizing the broadcasting stations and services which they might have in operation or plan to put into operation eventually.

From what I can gather in the trade press it doesn't look as if the bill will have much chance of success, inasmuch as it is being opposed by the full weight of the commercial broadcasting industry. However, should there be any possibility that this bill or a modification of it might be enacted, then I think that the college and University presses and broadcast stations should be exempt from its provisions.

Sincerely,

Armand L. Hunter
Director
ALH/im

May 2, 1958

Mr. Marcus Cohn
Cafritz Building
Washington 6, D. C.

c.c. Mr. Harry Skornia
Dr. Walter Emery
Mr. Leland Carr
Mr. James Denison
Mr. Lyle Blair

Smathers Bill

WHA

"THE OLDEST STATION IN THE NATION" UNIVERSITY OF WISCONSIN — MADISON

April 23, 1958

RECEIVED
NAEB HEADQUARTERS
APR 24 1958
AM 8 9 10 11 12 1 2 3 4 5 6 7
PM

Dr. Harry Skornia
NAEB
Gregory Hall
Urbana, Illinois

Dear Harry:

Mac has turned over to me a copy of your letter dealing with the question of the implications of the Smathers Bill as it might effect educational institutions. Unfortunately the earlier letter referred to was not available so I don't have the specific details.

However, it seems possible that we might be caught under wording as general as may be expected in such legislation. Most institutions engage in one way or another in publishing activities or recording activities which might make them vulnerable.

We urge that NAEB give careful attention to securing provision in the proposed legislation to prevent unfortunate restrictions on educational institutions' activities, and that we be notified in case our help is needed in securing the changes needed.

I'm sorry we can't be more specific; but without proper sources to refer to we can only express our feelings in a general way.

Sincerely yours,

Harold A. Engel

HAE:jc

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

NAEB

14 GREGORY HALL
URBANA, ILLINOIS

April 24, 1958

RECEIVED
NAEB HEADQUARTERS
APR 25 1958
A.M. 7|8|9|10|11|12|1|2|3|4|5|6 P.M.

Dr. Harry J. Skornia, Executive Director
National Association of Educational
Broadcasters
14 Gregory Hall
Urbana, Illinois

Dear Harry:

Though the proposed Smather Bill would not affect the State University of Iowa at this moment, it could create a great problem in the future. We do not now have a University Press but are quite hopeful of getting one in the not-too-distant future. When we do, one of its major projects will be the publication of original symphonies and other musical works.

As you might know, one of the outstanding areas at the University of Iowa is its Department of Music. One of this department's most important activities is composition. These compositions are even accepted as dissertations at the PhD level. We would hope that our University Press would be able to publish those compositions of students and of faculty members which are worthy of distribution and which no other publishing house would find profitable.

We would not like to jeopardize the future of our present broadcasting facilities nor those which we propose. Nor, on the other hand, would we like to see this important creative musical activity stifled. For these reasons, Harry, I hope that the NAEB will do everything possible to see that if the Smathers Bill is enacted, it will exempt educational institutions from its provisions.

Sincerely,

Sam L. Becker

Sam L. Becker
Director, Division of
Television-Radio-Film

SLB:mw

AIR MAIL
SPECIAL DELIVERY

April 29, 1958

Mr. Paul Dolin
Cahn and Marks, Attorneys
317 Cafritz Building
Washington 6, D. C.

Dear Paul: Re: Smathers Bill

I've called Lyle Nelson of the University of Michigan. He has promised to send, at once, a fuller statement on the publishing situation there, plus samples of the type of music published.

Attached are two letters. I commend particularly the one from Sam Becker, pointing out that music composition is even accepted as dissertations at the PhD level --- deserving of compensable publication. The letter from WHA might also be useful. I shall continue to reach the Wisconsin and Minnesota people (through Paula) today to see if additional ammunition can be sent by them. I am doing the same for Illinois. You'll have a statement from Miodrag Muntyan, Director of the University of Illinois Press.

I have today again wired:

Professor August Frugo
University of California
Berkeley, California

who is President of the Association of American University Presses. I've asked for verification of his having written Pastore, since he had promised to send me carbon, and I haven't yet received. I also (again) asked if he knew how many of the 46 or so members of their association publish music.

I'll hold up having this typed and mailed until the last thing this afternoon, hoping to be able to add more useful information to it before it goes out. In case I have to say "let 'er go" without all I'd wish, our thanks for your yeoman, also, excellent service and counsel all around, Paul --- to all three of you.

X X X X

Later: Wisconsin is writing you. Harold Engel will also send sample copy of the music of the type they publish and distribute in School of the Air

manuals (which they sell to the schools of Wisconsin). The University there, as well as elsewhere (another point where I think --- without having a copy of the text --- a lot would get caught) manufactures and distributes albums of various kinds.

That's all at deadline. No reply from Fruge as yet. I guess you recall that NAEB membership is by institution, not merely by station, in case there's a question of how come you quote from letters from press directors.

Sincerely,

Harry J. Skornia
Executive Director

HJS/dfc
CC: NAEB Board
Richard Hull
P. S. 1) Minnesota also probably writing
2) Received and forwarded to Dobin later: copy of Fruge letter to Pastore and fine letter from McBride on behalf of University of Nebraska

Smathers Bill

AIR MAIL SPECIAL DELIVERY April 30, 1958

Mr. Paul Dobin
Cohn and Marks, Attorneys
317 Cafritz Building
Washington 6, D. C.

Dear Paul:

Attached are:

Copy of Fruge letter

Copy of very good letter on behalf of University of Nebraska.

Our best,

Harry J. Skornia
Executive Director

HJS/dfc
Enclosures photo of Fruge' letter of April 29, 1958
photo of McBride letter of April 28, 1958
cc of HJS April 30 letter to Fruge'

April 30, 1958

Professor August Fruge
University Press
University of California
Berkeley, California

Dear Professor Fruge:

Thank you for your wire. Sorry I had to disturb you, but since our Legal Counsel had to have our testimony in form by Thursday, and needed to know if other efforts on behalf of the presses were being made, I needed to find this out.

You'll be interested to know that Michigan, Illinois, Wisconsin and Minnesota did provide statements and in some cases samples of the type of music published.

Once again, our thanks. I hope our contact next time is more deliberate.

Sincerely,

Harry J. Skornia
Executive Director

HJS/dfc
CC: Paul Dobin
P. S. I have just received the copy of your letter to Senator Pastore. Our thanks — and sorry I had to get information to our legal counsel earlier. I'M sending him a copy of it, even now.

Association of American University Presses

RECEIVED
NAEB HEADQUARTERS

APR 30 1958

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

April 29, 1958

The Honorable John Pastore
United States Senate
Washington 25, D. C.

Dear Senator Pastore:

I have been informed that the Smathers Bill (S2834), now before your subcommittee, provides that no corporation owning a broadcasting station shall be allowed to publish music or recordings. We have no wish to argue for or against the bill, but we should like to point out that the bill may, without intention of the author, work a hardship on educational institutions. Many universities maintain educational broadcasting stations and some of them also have university presses, which publish from time to time scholarly works of music and even musical compositions. Some of them may do recordings. None of these things are popular or intended for profit.

May I suggest that your subcommittee make sure that the bill does not work a hardship on non-profit scholarly publishing organizations.

Sincerely yours,

August Frugé

August Frugé

AF dp

bcc Harry Skornia

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

OFFICE OF THE VICE PRESIDENT

University of Nebraska
Lincoln 8, Nebraska

April 28, 1958

AIR MAIL SPECIAL DELIVERY

RECEIVED
NAEB HEADQUARTERS
APR 30 1958
A.M. 7 8 9 10 11 12 1 2 3 4 5 6 P.M.

Dr. Harry J. Skornia
Executive Director
14 Gregory Hall
Urbana, Illinois

Dear Harry:

In reply to your request of April 21 for summary information re: University of Nebraska Press and the Smather Bill, let me forward the following:

> The University of Nebraska does maintain a University of Nebraska Press. This publication facility is under the supervision of the Board of University Publications. It publishes scholarly books on virtually any subject, but special emphasis is given to manuscripts of primary interest to this region. All manuscripts are approved by the Board of University Publications. The Press has national marketing facilities and in most instances writes standard royalty contracts.
>
> The Press also publishes such items as "University of Nebraska Studies"--monographs approved by the Senate Committee on Publication of University Studies and the Board of University Publications. The "University of Nebraska Publications" monograms and the general areas are journalism, education, business research, and occasionally general service publications useful to the University and the state. Manuscripts are approved by the sponsoring agencies and the Board of University Publications. "The Prairie Schooner", a quarterly magazine of general interest dealing with articles, short stories, and poetry, etc.

It appears then that we are in the same position as Garrison finds himself at the University of Michigan. The Smather Bill, if enacted, would prohibit the University of Nebraska Press from such publications or the University would have to give up its television station--unless some provision is made in the bill.

more

I would hope NAEB Legal Counsel could keep on top of the matter. Naturally, we are most anxious to receive any and all information.

If you or Marcus Cohn require additional information, please let us know.

Sincerely,

Jack

Jack McBride
Director of Television
and KUON-TV

NAEB Vice President

JM:et

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

Smathers

May 2, 1958

RECEIVED
NAEB HEADQUARTERS
MAY - 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

Mr. Garnet R. Garrison
Director of Broadcasting
University of Michigan
Anm Arbor, Michigan

Dear Mr. Garrison

I have this morning received your letter of April 30th with reference to the music published by the University and I also have received the music books themselves. The material contained in your letter will be brought to the attention of the Senate Committee during Mr. Cohn's testimony.

As soon as the hearing is over we will return the books to you.

I am enclosing a copy of Mr. Cohn's statement.

Sincerely

Paul Dobin

Enclosure

cc: Dr. Harry Skornia
Dr. Burton Paulu

COPY

Smathers Bill

C
O
P
Y

April 30, 1958

Mr. Marcus Cohn
Cohn & Marks
Cafritz Building
Washington 6, D. C.

Dear Marcus:

While I think there is little likelihood of the Smathers proposal (S 2834) being adopted, if it were to be approved in its present form, it would cause great harm to the University of Illinois, as well as to many other educational institutions. As an institution of higher education and a land grant University, the University of Illinois operates non-commercial, educational AM and FM radio stations and a non-commercial, educational television station. It also operates a University Press, and might from time to time publish musical works. As an educational endeavor, the University sells a limited number of records.

Therefore, it would be of deep concern to the University of Illinois to see the Smathers bill adopted in its present form. In connection with your representation of NAEB interests, I would be happy to prepare any materials which would aid in securing a desired change in language, and if necessary, I feel sure a representative of the University could be made available to testify.

Sincerely yours,

Frank E. Schooley
Director of Broadcasting

FESfb

Smathers
Bill

UNIVERSITY OF MICHIGAN

ANN ARBOR, MICHIGAN

RECEIVED
NAEB HEADQUARTERS

MAY 1 1958

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

TELEVISION OFFICE
310 MAYNARD STREET

April 30, 1958

Mr. Paul Dobin
Cohn and Marks
Gafritz Building
Washington 6, D. C.

Dear Mr. Dobin:

At the request of Dr. Harry Skornia given to Mr. Nelson, Director of University Relations, I am sending you a list of two volumes of music published by the University of Michigan Press and two volumes to be published this summer. Louise E. Cuyler is a Professor of Music and Ross Lee Finney is a Professor of Composition and composer in residence in the School of Music. The two volumes to be published this summer are Professor Finney's own works.

The two Cuyler volumes are going to you under cover for your use in the committee hearings. We would appreciate their return after the hearing.

Sincerely,

Garnet R. Garrison

cmt

cc to H. Skornia
L. Nelson

COPY

THE
UNIVERSITY
OF
MICHIGAN
PRESS

Office of the Director

ANN ARBOR

April 29, 1958

TO WHOM IT MAY CONCERN

The University of Michigan Press has published the following works of music:

Cuyler, Louise E., FIVE POLYPHONIC MASSES by Heinrich Isaac.

Cuyler, Louise E., Heinrich Isaac's CHORALIS CONSTANTINUS, BOOK III, Transcribed from the Formschneider First Edition, Preface by Howard Hanson.

In the summer of 1958, The University of Michigan Press will publish:

Finney, Ross Lee, SIXTH STRING QUARTET IN E.

Finney, Ross Lee, QUINTET FOR PIANO AND STRINGS.

Very truly yours,

THE UNIVERSITY OF MICHIGAN PRESS

Edwin Watkins

Edwin Watkins
Assistant Director

EW:cg

RECEIVED
NAEB HEADQUARTERS
MAY 1 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

Mr. Paul Dobin
John & Marks
Cafritz Building
Washington, D.C.

Dear Mr. Dobin:

WHA, the University of Wisconsin broadcasting station, wishes to go on record in opposition to the provisions of the Smathers Bill which could interfere with the normal operations of this non-profit educational institution as it may engage in music publications or recording activities.

For example, in connection with the Wisconsin School of the Air we publish a song-book covering the music sung by children in their classrooms. A teacher's piano accompaniment book is also printed and distributed under University auspices. A sample song-book is enclosed.

In the recording field the University has prepared two or three disks featuring Wisconsin songs and music. When it is not profitable for a commercial producer to engage in the manufacture of such records the University may wish to produce its own -- not for profit; but rather to assure availability.

Obviously the basic intent of the Smathers Bill is not to hinder educational activities. To assure that it cannot do so we urge that proper amendments be added to clarify the matter and so avoid unfortunate consequences which might accrue without such precautions being taken.

Very truly yours,

Harold A. Engel
Assistant Director

encs.

If not delivered, return to
WISCONSIN STATE BROADCASTING SERVICE
Radio Hall, University of Wisconsin
Madison 6, Wisconsin
RETURN POSTAGE GUARANTEED

MAY–JUNE 1958

YOUR State Stations

AM STATIONS		FM STATIONS	
WHA (Madison)	970 kc.	WHRM (Rib Mountain)	91.9 mc.
WLBL (Auburndale)	930 kc.	WHWC (Colfax)	88.3 mc.
FM STATIONS		WHLA (West Salem)	90.3 mc.
WHA–FM (Madison)	88.7 mc.	WHHI (Highland)	91.3 mc.
WHAD (Delafield)	90.7 mc.	WHSA (Brule)	89.9 mc.
WHKW (Chilton)	89.3 mc.		

And the World Listened

1:30 P.M. Sunday
Repeated 7:30 P.M. Monday

These programs focus attention on some of the celebrated orators of history whose thoughts and utterances have helped to shape some of the ideas and institutions which constitute Western Civilization. Consultant for the series is Professor Frederick W. Haberman, chairman of the speech department at the University of Wisconsin. The series was produced by Station WHA for broadcast throughout the U. S. by affiliated stations of the National Association of Educational Broadcasters. The programs were directed by Karl Schmidt.

May 4, 5

William Pitt, Earl of Chatham (1708–1778)—*The Attempt to Subjugate America.* Chatham's speeches on America concern liberty, government by constitution, and the misery of war. This speech contains the famous passage: "If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms—never—never—never!"

May 11, 12

Edmund Burke (1730–1797)—*Conciliation With America.* A master of metaphor, of coherent design, and of political philosophy, Burke was at his best in the *Conciliation* speech. The theme of the speech is that "taxation and representation are inseparably conjoined," and that magnanimity in politics is needful in holding a great empire together.

May 18, 19

Daniel O'Connell (1775–1847)—*Irish Independence.* Over a million people were said to have gathered at Tara in Ireland on August 15, 1843 to hear Daniel O'Connell speak for Irish Independence. Called The Liberator, it is not an exaggeration to say that O'Connell spoke to and for all of Ireland.

May 25, 26

Daniel Webster (1782–1852)—*The Knapp Murder Trial.* Among Daniel Webster's forensic addresses the speeches delivered on the trial of Frank Knapp for the murder of Captain White of Salem are the most famous. The reconstructed summation speech is well known for its narrative passages. Not so well known is the fact that it goes beyond the evidence in obtaining the conviction.

June 1, 2

Abraham Lincoln (1809–1865)—*Lincoln–Douglas Debates.* These debates have drama because of the protagonists themselves, as well as because of the historic importance of the subject which was, ultimately, the survival of slavery in the United States.

June 8, 9

Booker T. Washington (1858–1915)—*Atlanta International Exposition.* Booker T. Washington was a powerful speaker, one of the most accomplished of his day. For over thirty years he was in constant demand until his death in 1915. He was an acknowledged leader of the Negro race in America and one of the outstanding men of our country.

June 15, 16

Elizabeth Cady Stanton (1815–1915)—*The Right to Hold Property.* First president of the National American Woman Suffrage Association, Elizabeth Cady Stanton was an eloquent spokesman of women's rights. In the legislature of her native state of New York, she began the fight for the right of women to hold property after marriage.

June 22, 23

Winston Churchill (1871–____)—*The Battle of Britain.* Replete with celebrated passages, this speech has as its general theme the protection of the home land and the survival of freedom. The stirring words reveal much about the orator, his sense of history, his imaginative grasp of the fearful struggle, and his awe-inspiring courage.

June 29, 30

Franklin Delano Roosevelt (1882–1945)—*The Four Freedoms.* The message to Congress containing the philosophy and the description of the four freedoms is one of Roosevelt's most eloquent and most influential speeches. Its themes have become ideals for this century.

The Words We Use

10:30 A.M. Tuesday
Repeated 9:00 A.M. Saturday

Professor Frederick Cassidy of the department of English at the University of Wisconsin presents weekly discussions on words, phrases, sayings, usage, and pronunciation. Professor Cassidy is a well known scholar and researcher. For many years he has been conducting the Wisconsin English Language Survey which seeks to study all the characteristics of American English as it is used in this state. As a part of this survey he conducted the radio program *Wisconsin Words* a few years ago on the state stations. It is expected that the book based on these studies, to be entitled *Wisconsin Words,* will be published by 1959. Professor Cassidy is now engaged in a study of the English language as it is spoken in Jamaica.

The Words We Use is an entertaining and instructive program and has attracted a wide audience this semester.

Of Many Things

4:00 P.M. Monday
Repeated 7:45 P.M. Tuesday

Bergan Evans, professor of English at Northwestern University continues his series of "essays for radio."

May 5, 6 Function of the Critic
May 12, 13 Wit, Humor and Comedy
May 19, 20 Mark Twain
May 26, 27 The Art of Being Nasty
June 2, 3 Some Aspects of Shakespeare's Art
June 9, 10 "Mass Produced" Suburbs
June 16, 17 "Old Nick" Machiavelli
June 23, 24 Men and Their Myths
June 30 Don't Monkey With the Platypus

Contemporary Trends

2:00 P. M. Tuesdays

A series of selected lectures from an all-University course for senior students, broadcast from a classroom on the Madison campus of the University of Wisconsin. The course presents a non-technical consideration of the physical and social sciences, emphasizing national and international problems.

May 6
Unmanned Missiles, Ragnar Rollefson, Professor of Physics.

May 13
Government and Science, Ragnar Rollefson.

May 20
Education and Manpower, Virgil E. Herrick, Professor of Education.

May 27
The Competing Economies: Mixed Economy, Communism and Socialism, Theodore Morgan, Professor of Economics.

June 3
Russian Foreign Policy, John A. Armstrong, Associate Professor, Political Science.

June 10
Western Europe: A Half Century of Economic and Social Change, Rondo E. Cameron, Associate Professor, Economics and History.

June 17
Britain's New Status, Leon D. Epstein, Professor of Political Science.

June 24
The Undeveloped Regions of the World, Theodore Morgan, Professor of Economics.

The WISCONSIN STATE BROADCASTING SERVICE

Radio Program Schedule For May—June 1958

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY *	
7:15 (State FM Network and	Weather Round-up	Weather Round-up	Weather Round-up	Weather Round-up	Weather Round-up	Weather Report	7:15
7:22 WLBL Sign on at Noon	Motor Safety	Farm Feature	Farm Feature	Farm Feature	Farm Feature	Social Security Report	7:22
7:30 on Sunday. Programs	Band Wagon	Band Wagon	Band Wagon	Pops Concert	Band Wagon	Pops Concert	7:30
7:45 Before Noon are on	News	News	News	News	News	News and Weather	7:45
WHA ONLY)							
8:00	Morning Concert	Morning Concert	Morning Concert	Morning Concert	Morning Concert	Morning Concert	8:00
8:30	Morning Concert	Russian Social and	Morning Concert	Russian Social and	Morning Concert	Morning Concert	8:30
9:00 Devotional Music	One Nation Indivisible	Intellectual History—	B'cast on Broadcasts	Intellectual History—	Radio Journal	Words We Use	9:15
9:15 Devotional Music	One Nation Indivisible	Prof. Petrovich	March of Medicine	Prof. Petrovich	Radio Journal	Teller and the Tale	9:00
9:20 Devotional Music	One Nation Indivisible	Musical Interlude	March of Medicine	Musical Interlude	Radio Journal	Words We Use	9:20
9:30 Organ Recital	World of Nature	When Men Are Free	Let's Write	Exploring the News	Rhythm and Games	Piano Music	9:30
9:50 Organ Recital	Market Report	Market Report	Market Report	Market Report	Market Report	London Column (9.45)	9:50
9:55 News	News	News	News	News	News		9:55
10:00 Chamber Music	Homemakers	Homemakers	Homemakers	Homemakers	Homemakers	Homemakers	10:00
10:30 Chamber Music	Musical Moments	Words We Use	League Women Voters	PTA Forum	Dear Sirs	Musical Moments	10:30
10:45 Chamber Music	Views of the News	Views of the News	Views of the News	Views of the News	Views of the News	Ed. Sprague	10:45
11:00 Orchestral Concert	Civilization of India	Freshman Forum	Civilization of India	Freshman Forum	Cooper Union Forum	Dear Sirs	11:00
11:50 Orchestral Concert	Noon Musicale	Noon Musicale	Noon Musicale	Noon Musicale	Noon Musicale	News Review (11:15)	11:50
12:00 Sunday Musicale	Noon Musicale	Noon Musicale	Noon Musicale	Noon Musicale	Noon Musicale	Noon Musicale (11:30)	12:00
12:20 Sunday Musicale	News	News	News	News	News	News	12:20
12:30 Sunday Musicale	Farm Program	Farm Program	Farm Program	Farm Program	Farm Program	Farm Program	12:30
1:00 U. W. School of Music	Chapter A Day	Chapter A Day	Chapter A Day	Chapter A Day	Chapter A Day	Steuben Program	1:00
1:30 The World Listened	Let's Find Out	Let's Draw	Let's Sing	Music Time	Book Trails	Research Report	1:30
2:00 Encore	Ideas and Theater	Contemporary Trends	Books of Today	Continentl Comment	Special Lectures	Saturday Concert	2:00
2:30 Encore	Window on the World	Contemporary Trends	Patterns of Thought	Teller and the Tale	Special Lectures	Saturday Concert	2:30
2:45 Encore	Revoici Mimi	Contemporary Trends	Voici Mimi	Wisconsin Outdoors	Special Lectures	Saturday Concert	2:45
3:00 Sunday Concert	Music of the Masters	Music of Our Times	Music of the Masters	Scenes from Operas	Music of the Masters	Saturday Concert	3:00
4:00 Sunday Concert	Of Many Things	The French Story	Georgetown Forum	Ed. Sprague	London Forum	Alpine Melodies	4:00
4:15 Sunday Concert	Wisconsin Weekly	The French Story	Georgetown Forum	French Program	London Forum	Alpine Melodies	4:15
4:30 Music from Germany	Organ Music	Afternoon Concert	Chamber Music	Afternoon Concert	Vocal Music	Roman Forum	4:30
5:00 Georgetown Forum	Just For Fun	Just For Fun	Just For Fun	Just for Fun	Just for Fun	Just For Fun	5:00
5:15 Georgetown Forum	Story Time	Story Time	Story Time	Story Time	Story Time	Just For Fun	5:15
5:30 Sacred Note	Views of the News	Views of the News	Views of the News	Views of the News	Views of the News	Music Album	5:30
5:45 News	News	News	News	News	News	News	5:45
6:00 Dinner Musicale	Dinner Musicale	Dinner Musicale	Dinner Musicale	Dinner Musicale	Dinner Musicale	Jazz Interlude	6:00
6:30 Dinner Musicale	Dinner Musicale	Jazz Musicale	Dinner Musicale	Dinner Musicale	Jazz Musicale	Dinner Musicale	6:30
7:00 Cooper Union Forum	Chapter A Day	Chapter A Day	Chapter A Day	Chapter A Day	Chapter A Day	Special Lectures	7:00
7:30 Cooper Union Forum	The World Listened	Gilbert Highet*	Research Report	Freshman Forum	Freshman Forum	Special Lectures	7:30
8:00 FM Concert	FM Concert	FM Concert	Opera Night	Freshman Forum	Freshman Forum	* Saturday Programs are	8:00
8:20 FM Concert	FM Concert	FM Concert	Opera Night	FM Concert	FM Concert	on WHA only	8:20
9:00 FM Concert	FM Concert	FM Concert	Opera Night	FM Concert	FM Concert		9:00
9:50 News	News	News	News	News	News		9:50

* 7:45 Of Many Things

WHA & WLBL Sign off at 8:00 PM in May and June (See *Broadcasting Hours*)

ALINE W. HAZARD, Director

HOMEMAKERS PROGRAM

10 A. M. DAILY

MAY

1. Natchez: The Garden Pilgrimage—Edith Bangham
   Best Buys In the Market—Mrs. Joan Atwood
2. Invitation to Reading:
   A Joy of Gardening by Victoria Sackville-West
   —Mrs. Orrilla Blackshear
3. Historic Pilgrimages for Youth.
   Columbia County—Mrs. J. R. McCarthy
   Doris Platt and
   George Ambler
5. The Wild Flowers of May—Wakelin McNeel
   Trends in Home Demonstration Work—Blanche Lee
6. The Story of May Baskets—Mrs. Everett Rayn
   The Family In the Kitchen—Marlys Richert
7. Taste Panels Test Quality—Maxine McDivitt
   Give Parties in Early Summer—Gladys Dieruf
8. Our IFYE's Greetings from the Dominican Republic
   —John Taylor and
   Verne Varney
   Best Buys In the Market—Mrs. Joan Atwood
9. Invitation to Reading:
   Thomasina by Paul Gallico—Hazel Straight Stafford
10. Contests for:
    Mrs. Wisconsin—Mrs. Truman Graf
    Homemakers of Tomorrow—Virginia Holmes
12. The Family Preserves Food for Winter
    —Mrs. Linnea Dennett
    Bee Colonies, Ruled by Queens—Roger Hoopingarner
13. Tips On Seeding Annuals—Louis M. Berninger
    Mom, Dad and the Kids in the Kitchen—Jean Reddin
14. By Way of Better Food Service—Virginia Kroener
    Good Uses for the Maple Sugar Crop—Helen Strickland
15. Tips from the Heart Kitchen—Velma Cornford
    Best Buys In the Market—Mrs. Joan Atwood
16. A Nationality Festival:
    Stoughton's Syttende Mai—Walter Eggelson
17. Historic Pilgrimages:
    Ft. Winnebago Historic Sights—Ina Curtis and
    Raymond Sivesind
19. The Family Equips the Kitchen—Mrs. Katherine Bailey
    A Spring Flock of Turkeys—G. E. Annin
20. Planting Time in the Vegetable Garden
    —John Schoenemann
    The Family Uses the Kitchen—Marion Wagner
21. Help Pre-Schoolers Enjoy Eating—Rinata Stead and
    Lydia Gerhardt
    Food Distribution for the Needy—Gordon Gunderson
22. As the World Turns: Changing Health Patterns
    —Edith Bangham
    Best Buys In the Market—Mrs. Joan Atwood
23. Invitation to Reading:
    Amid My Alien Corn by Betty Lussier
    —Hazel Straight Stafford
24. Facts or Fables for Children—E. B. Burdulis and
    Dames Group
    Music Helps Everyone—Margaret Rupp Cooper
26. Dressing for the Job—Helen Pearson
    Let's Eat Outdoors—Mrs. Linnea Dennett
27. Lilac Time in Wisconsin—G. Wm. Longenecker
    The Family Likes Color—Gertrude Hoffmann
28. When Your Child Goes to the Hospital
    —Janet Shepherd and Sandy Stillman
    Best Buys In the Market—Mrs. Joan Atwood
29. A Forest Planted by Homemakers
    —Remote Broadcast, Marinette County
30. Decoration Day Through the Years—Margaret Smith
31. Nationality Groups of Wisconsin—Their Location and
    Contributions—William J. Schereck

JUNE

2. A Kitchen in the Budget—Louise Young
   The Chippewas Are My Friends—Mrs. R. E. Lange, Sr.
3. The Wild Flowers in Wisconsin—William Sieker
   Using the Freezer in Summer—Charlotte Dunn
4. Fallhall Glen in June—Mrs. M. E. Hall and
   Wakelin McNeel
5. Education Abroad—Mrs. Fred Evans
   Best Buys In the Market—Mrs. Joan Atwood
6. Invitation to Reading:
   The Silk Cotton Tree by Esther Warner and *Bitter Lemons* by Lawrence Durrell
   —Mrs. Orrilla Blackshear
7. Camping On Wheels—Norman Michie
9. Discourage the Moths and Beetles—E. H. Fisher
   Clothes That Will Travel—Lenore Landry
10. Establishing Your Flower Garden—Louis M. Berninger
    Safety, A Home Project—Viola Hunt
11. Highlights in Nutrition—Mrs. May Reynolds
    Milk from America's Dairyland—Helen Strickland
12. An IFYE from Northern Ireland—Hugh Hamill and
    Verne Varney
    Best Buys In the Market—Mrs. Joan Atwood
13. Invitation to Reading:
    The Winthrop Woman by Anya Seton
    —Hazel Straight Stafford
14. Pilgrimages to Wisconsin's Vacation Land
    —Alonzo and Dorothy Pond
16. Commencement Honors Convocation
    —University of Wisconsin
17. June, the Month of Roses—H. J. Rahmlow
    A Place For Everything—Marion Wagner
18. The Perfect Days of June—Mrs. Phyllis Brinkley
19. Recipes Have Changed—Rosemary Hopkins
    Best Buys In the Market—Mrs. Joan Atwood
20. Make Summer Living Pleasant—Mary Jean Stoddard
    Families Seek Security—Frances Scudder
21. The Family Plans Its Fun—E. B. Burdulis and
    Dames Group
    Now—Junior Band Clinics—William L. Johnston
23. Pack For Your Trip—Helen Pearson
    Badger Girls State Elects—Badger Citizens
24. What's New In Home Furnishings—Gertrude Hoffmann
25. To The Historical Hoard Museum—Remote Broadcast
    Ft. Atkinson
26. Care of Flowering Shrubs—George Ziegler
    Best Buys In the Market—Mrs. Joan Atwood
27. Invitation to Reading:
    The Great Democracies by Winston Churchill
    —Hazel Straight Stafford
28. Safety May Be Taught—
    What's New In Foods—From the W.H.E.A. Convention
30. Let's Eat Out—Mrs. Linnea Dennett
    Homemakers Sing Together—State Homemakers Chorus

Civilization of India

11:00 A.M. Monday and Wednesday

Prof. Henry C. Hart, of the University of Wisconsin Political Science Department, and thirteen other U. W. professors, nine of whom lived in India or Ceylon, are collaborating on this series of lectures. They investigate modern India and her problems of making a nation out of a variety of religions; and new goals and ideals for life.

May 5
Why India and Pakistan Separated, Surendra N. Sen, Visiting Professor of History.

May 7
Civil Service as Unifier, Henry C. Hart, Associate Professor of Political Science.

May 12
Party Competition, Henry C. Hart, Associate Professor of Political Science.

May 14
Agricultural Policy, Kenneth H. Parsons, Professor of Agricultural Economics.

May 19
Rural Change: Bhoodan, Henry C. Hart.

May 21
Rural Change: Community Projects, William H. Sewell, Professor of Rural Sociology.

May 26
What Can Be Expected of the Schools? John Guy Fowlkes, Professor of Education.

May 28
Why a Socialist Pattern? Henry C. Hart and Theodore Morgan, Professor of Economics.

June 2
Why a Neutralist-Interventionist Foreign Policy?, Henry C. Hart.

June 4
Tensions of the Transition Generation, Murray A. Straus, Assistant Professor of Rural Sociology and Milton Barnett, Associate Professor of Anthropology.

June 9
What Can We Learn from India?, Professor Henry C. Hart.

Russian Social and Intellectual History

8:30 A.M. Tuesdays and Thursdays

Professor Michael Petrovich of the department of History at the University of Wisconsin continues his lectures on the main currents of Russian social philosophy. Topics to be discussed during May and June are: *Michael Bakunin, the Ideological Founder of Russian Revolutionary Anarchism; Nihilism, an Extremist Russian Intellectual Approach to the Problem of Progress; Chernyshevskii and Dobroliubov, Materialism and the Ideological Foundations of Utopianism and Agrarian Socialism in Russia; Subjectivism and Positivism, the Sociological Theories of Lavrov, Mikhailovskii, and Kareev as an Approach to Russia's Problems; Conservatives and Radicals, the Intellectual Right-Wing Approach to Russia's Problems in the Last Quarter of the 19th Century;* and *Vladimir S. Soloviev, the Leading 19th Century Exponent of Russian Mystical Philosophy.*

Chapter A Day

1:00 P.M. Monday through Friday
Repeated 7:00 P.M. Monday through Friday

One of the most popular programs on the state stations, year in and year out, is *Chapter A Day.* Karl Schmidt, WHA production manager, selects and reads the books. The books chosen are from the current publishers' lists with special care and attention to demands of radio broadcasting. Last fall, as an experiment, we began rebroadcasting the program at 7:00 p.m. in the evening. It appears now that it is well established at this new time as well as the regular time at 1:00 p.m. Since the books used on the original broadcast are current, it is not possible to list them in advance. The evening rebroadcasts, being delayed several months are listed below.

May 5 through May 9
The Men Around Hurley, by Louise Blackwell
May 12 through May 22
Doctor in Love, by Richard Gordon
May 26 through May 30
The Singing Wilderness, by Sigurd F. Olson
June 2 through June 13
Odds Against Tomorrow, by William P. McGivern
June 16 through June 20
The Incurable Wound, by Burton Rouechet
June 30 through July 4
The Landlooker, by William F. Steuber, Jr.

One Nation Indivisible

9:00 A.M. Mondays

"One Nation Indivisible" is a series of radio documents telling the story of eleven countries or areas of the world which are deeply stirred by nationalistic feelings and aspirations. The programs were produced in consultation with University of Michigan faculty specialists, who served as content authorities, carefully checking all materials for authenticity and accuracy. Foreign students studying at the University appear as narrators throughout the programs.

May 5
India—The concept of civil disobedience helps a colonial country achieve independence.

May 12
North Africa—Algeria, Morocco, and Tunisia, with different histories, work toward a common goal.

May 19
Japan—Nationalism carried to the extreme drives a nation into disastrous war.

May 26
Ghana—The first African nation to achieve independence in the British Commonwealth faces unique problems.

June 2
Russia—The national tradition is adapted to the demands of Soviet doctrine.

June 9
Egypt—Culture, religion, and the search for a national entity involve a newly independent country in the larger.

June 16
China—The idea of national unity grows slowly under the impact of the West and is exploited by Communism.

June 23
Indonesia—An island republic attempts to unify its disparate elements under the banner of anti-colonialism.

June 30
Hungary—A Soviet satellite country seeks to reaffirm its faith in its national ideals.

FM CONCERT

MAY

8:00 P.M. Sunday through Wednesday

1. Music of the Baroque Period.
2. FRANCK: Symphony in D minor.
4. Beloit Civic Symphony Orchestra.
5. BERWALD: Symphony in C.
   MOZART: Piano Concerto No. 17.
6. TCHAIKOVSKY: Violin Concerto.
   MAHLER: Kindertodtenlieder.
7. PUCCINI: Turandot, Acts 1 and 2.
8. Music of the Baroque Period.
9. BRUCKNER: Symphony No. 7.
11. Gunnar Johansen, pianist.
12. NIELSEN: Symphony No. 4.
    MOZART: Clarinet Concerto.
13. GLAZOUNOV: Seasons Ballet.
    ELGAR: Enigma Variations.
14. PUCCINI: Turandot, Acts 3 and 4.
15. Music of the Baroque Period.
16. SCHUBERT: Symphony No. 7 in C Major.
18. BEETHOVEN: Emperor Concerto.
    PAGANINI: Violin Concerto No. 1.
19. SHOSTAKOVICH: Symphony No. 1.
    FOSS: Piano Concerto No. 2.
20. Lucille Kubiak, pianist.
21. PURCELL: Dido and Aeneaes.
22. Music of the Baroque Period.
23. SCHOENBERG: Serenade for Baritone and Septet.
25. HANDEL: Judas Maccabaeus.
26. VAUGHAN WILLIAMS: Symphony No. 8.
    RAVEL: Trio in A minor.
27. Mary Lou Ernst, pianist.
28. ROSSINI: La Cenerentola.
29. Music of the Baroque Period.
30. HINDEMITH: Concert Music, op. 49.
    Concerto for Orchestra, op. 38.

JUNE

8:20 P.M. Thursday and Friday

1. CHAUSSON: Symphony in B flat.
   CHOPIN: Piano Concerto No. 2
2. DEBUSSY: Nocturnes.
   ORFF: Catulli Carmina.
3. Samuel Jones, baritone.
4. MUSSORGSKY: Khovantschina, Act 1.
5. Music of the Baroque Period.
6. SIBELIUS: King Christian II Suite.
   The Tempest Suite.
8. HANDEL: Israel in Egypt.
9. RESPIGHI: Fountains of Rome.
   MOZART: Symphony No. 36.
10. Gabriel diPiazza, pianist.
11. MUSSORGSKY: Khovantschina, Acts 2 and 3.
12. Music of the Baroque Period.
13. GOLDMARK: Violin Concerto in A minor.
15. BACH: Cantata No. 104.
    BRAHMS: Clarinet Quintet.
16. MOZART: Oboe Concerto. Symphony No. 33.
    Piano Concerto No. 20.
17. SHOSTAKOVICH: Symphony No. 5.
    COPLAND: Appalachian Spring.
18. Music of the Baroque Period.
20. BRAHMS: Double Concerto in A minor.
22. NIELSEN: Symphony No. 3.
    MAHLER: Symphony No. 4.
23. BEETHOVEN: Violin Concerto. Symphony No. 7.
24. GLIERE: Symphony No. 3—Ilia Mourometz.
25. LEONCAVALIO: I Pagliacci.
26. Music of the Baroque Period.
27. Aaron Copland Festival: Symphony No. 1. Piano Quartet.
29. SCHUBERT: Quintet in A minor (Trout).
30. TOCH: Symphony No. 3.
    BRAHMS: Piano Concerto in D minor.

MUSIC OF THE MASTERS*

MAY

3:00 P.M. Monday–Wednesday–Friday

2. BEETHOVEN: Symphony No. 4 in B-Flat.
5. SCHUMANN: Davidsbundler Dances, Opus 6.
7. SIBELIUS: Symphony No. 3 in C Major.
9. DEBUSSY: Sonata for Flute, Viola, and Harp.
12. TANEIEV: Concert Suite for Violin and Orchestra.
14. HAYDN: Symphony No. 64 in A Major.
16. ELGAR: Symphony No. 2 in E-Flat Major.
19. BACH: Sonata No. 1 in B Minor (Flute & Harpsichord).
21. BALAKIREV: Symphony No. 1 in C Major.
23. BRAHMS: Piano Concerto No. 2 in B-Flat Major.
26. BUSONI: Sonata No. 2 in E Minor (Violin & Piano).
28. MOZART: Symphony No. 25 in G Minor.
30. SCHUBERT: Symphony No. 6 in C Major.

JUNE

2. BERLIOZ: Symphonie Fantastique.
4. HAYDN: Symphony No. 91 in E-Flat Major.
6. RACHMANINOFF: Symphony No. 3 in A Minor.
9. BEETHOVEN: Piano Concerto No. 3 in C Minor.
11. ROSSINI: Sonata No. 4 in B-Flat for Strings.
13. BRAHMS: Symphony No. 4 in E Minor.
16. STRAUSS: Burleske in D Minor (Piano & Orchestra).
18. SIBELIUS: Symphony No. 6 in C Major.
20. FRANCK: Quartet in D Major.
23. RAVEL: Gaspard de la Nuit.
25. BACH: Sonata No. 2 in E Minor (Flute & Continuo).
27. DVORAK: Piano Concerto in G Minor.
30. MOZART: Symphony No. 38 in D Major.

* Alternating with Music of the Masters:
3:00 P.M. Tuesday----------MUSIC OF OUR TIMES
3:00 P.M. Thursday----------SCENES FROM OPERA

Program Personalities

The voice of the noon *Farm Program* is that of Maurice E. White, associate professor of agricultural journalism in the University of Wisconsin College of Agriculture. Maury has been radio farm director for the past seven years, having returned to his native Wisconsin after serving as farm director for WOSU, the radio station of Ohio State University. He received both his bachelor and master's degrees in agricultural journalism at the University of Wisconsin. His studies were interrupted during World War II when he served in the U. S. Army. Last year Maury was selected for a fellowship at Cornell University under a program sponsored by the Ford Foundation for agricultural extension workers. The fellowship included a year of study toward a Ph.D. degree and concluded with a trip around the world to examine at first hand agricultural extension methods in other countries. Maury is in demand as a teacher of agricultural information methods at district and state meetings of county agricultural agents. For several years he has taught summer session short courses both in Wisconsin and South Dakota. He is a member of Sigma Delta Chi, honorary journalism fraternity, and the National Association of Radio and Television Farm Directors.

Cooper Union Forum

7:00 P.M. Sundays
Repeated 11:00 A.M. Fridays

The series *Great Ideas in the Great Hall* ends with the broadcast of May 4. A new series entitled *Great Expectations* begins May 11, to be followed by a series on *Places, Travel, and World Affairs* beginning June 15.

May 4

Thoughts on Space and Matter, Percy W. Bridgman, physicist, author, 1946 Nobel Prize Winner in Physics.

May 11

Nutrition and Diet, Norman Jolliffe, M.D., Director, Bureau of Nutrition, City of New York Department of Health.

May 18

Antibiotics and Their Contributions to Science and Society, Dr. Walker A. Wakeman, Director, Institute of Microbiology, Rutgers State University.

May 25

The Geophysical Year, Hugh Odishaw, Executive Director, U. S. National Committee for the International Geophysical Year, National Academy of Sciences.

June 1

The Man-Made Moon and Rockets, Willy Ley, Rocket Scientist and author.

June 8

Antarctic Expedition, Laurence M. Gould, President, Carleton College, Director of the IGY antarctic program, member of the Byrd and present antarctic expeditions.

June 15

The Mediterranean, Johnson E. Fairchild, geographer, Director, Division of Adult Education, The Cooper Union.

June 22

Greece and Turkey, Michael M. Dorizas, Professor of Economic and Political Geography, Wharton School of Finance and Commerce, Pennsylvania University.

June 29

How to Tour Europe on a Shoestring, Eric Mann, world traveller, author, travel editor, Cue Magazine.

Forums and Discussions

Patterns of Thought, 2:30 p.m. Wednesday

A series of programs presenting discussions of vital and interesting topics as seen through the eyes of philosophers. Participants are members of the faculty of the University of Utah. Dr. Waldemer P. Read is the moderator.

Georgetown University Forum, 4:00 p.m. Wednesday and 5:00 p.m. Sunday

The Georgetown Forum, winner of many local and national awards, is a continuous series of discussions on significant topics by outstanding authorities. The object of the programs is clarification, not controversy.

London Forum, 4:00 p.m. Friday

A series recorded directly from international shortwave radio from the BBC in London. Many leading world figures appear in these programs to discuss current topics of the day. *London Forum* has been a regular feature on the state stations for many years.

Continental Comment, 2:00 p.m. Thursday

A lively and informal series based on the leading newspapers of Europe. Members of the Modern Languages department at Purdue read and interpret the news as seen through the press in Spain, France, Germany, Italy and other European countries.

Books of Today, 2:00 p.m. Wednesday

Professor Paul Wiley of the department of English at the University of Wisconsin reviews current American and British fiction. Professor Wiley is a specialist in the modern novel and his reviews bring to bear his scholarship and wide experience on the latest books by leading authors.

The Gilbert Highet Program, 7:30 p.m. Tuesday

Gilbert Highet, Anthon Professor of Latin Literature at Columbia University, discusses a wide variety of topics. In this series of informal essays, Professor Highet draws on his background in the classics to discuss topics of interest to modern listeners.

Window on the World, 2:30 p.m. Monday

Prominent Britons visiting America record their views on topics ranging from politics to poetry.

Radio Journal, 9:00 a.m. Friday

Current magazine articles, prominent visitors, discussions on current affairs make up the material for this series. Roy Vogelman, state station News Editor, conducts the series.

Special Lectures, 2:00 p.m. Friday, 7:00 p.m. Saturday

Many special talks and discussions are recorded by your state stations both in Madison and Milwaukee and around the state. It is our intention to record features of general interest and educational value so that they may be shared with our listeners. Thus we are leaving unscheduled two hours each week in which we hope to present current programs recorded recently at the Wisconsin State Colleges, the University of Wisconsin–Milwaukee, the Madison campus of the University of Wisconsin, or anywhere else in the state.

Freshman Forum

11:00 A.M. Tuesday and Thursday
Repeated 7:30 P.M. Thursday and Friday

The general theme of this lecture-discussion series is *Science Today: A Beginning and an End.* The topic is explored and developed by leading scholars from many departments of the University of Wisconsin.

April 29

Psychologists and the Pied Pipers, J. C. Gilchrist, Associate Professor of Psychology

May 1

Class Discussion Period.

May 6

Physical versus Biological Sciences, James F. Crow, Professor of Zoology and Genetics

May 8

Class Discussion Period.

May 13

Changing Conceptions of Cause and Effect, Julius Weinberg, Professor of Philosophy.

May 15

Class Discussion Period.

May 20

Science, Scientists, and the Law, Willard Hurst, Professor of Law and Carlisle P. Runge, Associate Professor of Law and Assistant Dean, Law School.

May 22

Class Discussion Period.

May 27

Scientists and How to Get Them, C. Harvey Sorum, Professor of Chemistry.

May 29

Class Discussion Period.

June 3

Brave New World, Robert Doremus, Professor of English, Associate Dean, College of Letters and Science.

Broadcasting Hours

The advent of daylight saving time means more broadcasting hours for WHA and WLBL. Accordingly, WHA and WLBL will remain on the air until 8 o'clock in the evening with the exception of Thursday and Friday evenings. On these evenings we shall remain on the air until about 8:15 to broadcast the complete lectures and discussions from *Freshman Forum.*

The French Story

4:00 P.M. Tuesdays beginning May 13

This series is devoted to giving the listener, through dramatized incidents, a general history of France. The programs were produced by the French Broadcasting System, with content supervision provided by a number of noted French historians.

May 13
Vercingetorix.

May 20
Charles Martel.

May 27
The Carolingian Renascence.

June 10
Crusades and Cathedrals.

June 17
Philip the Fair.

June 24
Etienne Marcel.

Smathers Bill

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

April 24, 1958

RECEIVED
NAEB HEADQUARTERS
APR 28 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

Mr. Garnet R. Garrison
University of Michigan
Ann Arbor, Michigan

Dear Mr. Garrison

Thank you for your letter of April 22nd with which you enclosed a copy of Mr. Nelson's letter to Senator Pastore of April 16th.

That letter will be helpful. However, it is important that the University of Michigan file a formal statement with the Committee, as such. If that is not done, then we can make a reference to the University's position in the course of presenting the NAEB's testimony.

Very truly yours

Marcus Cohn

cc: Harry Skornia
Burt Paulu

COPY

Smathers Bill

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

April 24, 1958

RECEIVED
NAEB HEADQUARTERS
APR 28 1958
A.M. 7|8|9|10|11|12| 1|2|3|4|5|6 P.M.

Mr. Garnet R. Garrison
University of Michigan
Ann Arbor, Michigan

Dear Mr. Garrison

Thank you for your letter of April 22nd with which you enclosed a copy of Mr. Nelson's letter to Senator Pastore of April 16th.

That letter will be helpful. However, it is important that the University of Michigan file a formal statement with the Committee, as such. If that is not done, then we can make a reference to the University's position in the course of presenting the NAEB's testimony.

Very truly yours

Marcus Cohn

cc: Harry Skornia
Burt Paulu

COPY

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

NAEB

OFFICE OF THE PRESIDENT

Station KUOM
University of Minnesota
Minneapolis 14, Minnesota

April 25, 1958

RECEIVED
NAEB HEADQUARTERS
APR 25 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

Dr. Harry J. Skornia
NAEB Headquarters
14 Gregory Hall
Urbana, Illinois

Dear Harry:

Relative to NAEB testimony on the Smathers Bill:

Feel free to use or not use me as a witness without reference to anything except the most effective presentation of the case. I have investigated and found that the University of Minnesota Press publishes no music to speak of. If the University of Michigan Press does publish music, then Garnet would make a better witness than I--if there were to be only one of us. In view of the fact that the New York Times last week reported that the chances of the Smathers Bill passing were practically nil, I am inclined to say, let us minimize our expense and trouble at this point. In fact, if Marcus thinks it's desirable, we could even wait until the bill comes up in the House for testifying at all.

If we do testify, we'll have to organize a case which will include data as to how many university presses publish music. I learned from the director of the University of Minnesota Press, John Ervin, Jr., that the president of the Association of American University Presses is August Fugé of the University of California at Berkeley. However, Mr. Ervin doubts if Mr. Fugé or anyone else could tell offhand how many universities do publish music.

There is also in this connection the fact that some publish music through their alumni associations. Thus, from time to time the University of Minnesota Alumni Association has published books of University football songs. Clearly, though, this is a very peripheral part of our activity as an educational institution!

In any case, if we are going to appear, I think someone should get a list of university presses (which could be had from the director of the press at Illinois, Michigan, Minnesota or most any other place), and then circularize them in a hurry to find out whether or not they do publish music.

I hate to throw one more burden on your already piled high shoulders, but I think, in the interests of uniformity, you'd probably better work with Marcus Cohn (or Paul Dobin) in putting this in the right direction. Clearly, if we're going to testify, we are going to have to decide who will do it, and that person will have to get together some kind of basic data on the problems involved.

Yours sincerely,

Burton Paulu
President

BP:ds

cc: Garnet Garrison
Marcus Cohn
Paul Dobin

Smathers bill

April 24, 1958

Mr. Marcus Cohn
Cohn and Marks, Attorneys
317 Cafritz Building
Washington 6, D. C.

Dear Marcus:

Would it be possible to get a copy of the Smathers Bill, please? I trust you or Lenny (when does he return?) will be attending our Board meeting, May 11 all day (Sunday) in Columbus, at the Deshler Hilton.

I know you're busy right now, Marcus. Thanks for your patience and ever-ready helping hand and advice.

Sincerely,

Harry J. Skornia
Executive Director

HJS/dfc
CC: Paulu

April 21, 1958

TO: Armand Hunter
Sam Becker
H. B. McCarty

Gentlemen:

You have received carbons of a letter from me to Marcus Cohn dated_____(?) (and half of 'em were undated!) starting with Garnet Garrison's address. These got into the mail before I had a chance to proof, check, or add an explanatory note. Here is that note:

On March 27, I received a letter from Garnet Garrison, containing the following three paragraphs:

"The point at issue is that the Smather Bill, if enacted would prohibit the University of Michigan Press from such publications or the University would have to give up its Radio Station, and I quote Section 1 of the Bill: 'No construction permit or license for broadcasting stations shall be granted to or held by any person or corporation engaged in or which owns any interest in, a corporation engaged in the business of publishing music or of manufacturing or selling recordings of musical compositions.' Another paragraph of the Bill proposes: 'If any licensee is in violation of paragraph 1 (quoted above), on the date of enactment of this subsection, provisions of paragraph 1 shall be suspended with respect to such licensee for such time as the commission determines to be reasonable in each case to enable such licensee to dispose of the property which causes him to be in violation of such paragraph, or to transfer or surrender his license pursuant to provisions of this act.'

"My question is, has the NAEB taken any action or contemplating any representation before Congress relating to the possible implications for educational institutions which have university presses and a radio or television station?

"What might we do here to present our concern and to indicate the implications for us. Dean Moore has recommended that we submit a statement. Do you have any immediate recommendations for our guidance?"

TO: Messrs Hunter, Becker and McCarty (continued) April 21, 1958

Following this, we've had exchanges out of which it was decided that (and here I quote from Marcus Cohn's letter to Senator John Pastore):

"We do not intend to offer testimony either in support or in opposition to it. We want to make certain that if the bill is enacted it would exempt those of our members who would otherwise be included under its terms."

Marcus, in his letter of April 18, says:

"The odds are that we will be called upon to testify on either May 8 or 9.

"I am leaving town next week and will be gone until May 5th. I suggest that you proceed with the preparation of the factual data. Once we have that, we can go ahead and prepare a draft of the testimony itself. In essence, that testimony will (a) give the Committee an insight into the problems which would be created for some of our members if the legislation were enacted and (b) then offer language which would specifically exempt educational institutions."

This letter to you gentlemen is to request the sort of statements we can use for the testimony we've requested an opportunity to present.

May we hear from you as soon as possible, please?

TO: Garnet Garrison
Burton Paulu
Richard Hull
Frank Schooley
Jack McBride

To those listed immediately above: we make the same request of you. Fortunately your carbons of my letter of today to Cohn are attached. Please let us hear from you.

Sincerely,

H. J. Skornia
Executive Director

HJS:jg
CC: For information: Marcus Cohn

April 16, 1958

The Honorable John Pastore
United States Senate Building
Washington 25, D.C.

Dear Senator Pastore:

This letter is addressed to you in your capacity as Chairman of the Subcommittee of the Senate Committee on Interstate and Foreign Commerce and refers to the hearings now under way on Bill S-2834 introduced by Senator Smathers.

The University of Michigan has its own University Press. From time to time the University Press publishes original music. The University also has its own educational radio station, WUOM. If this bill would prohibit an educational institution which has a broadcasting license from publishing music, such action would have a serious and, I am certain, unintended effect on university presses throughout the nation.

This letter is not sent you to take a stand on the other merits of the pending bill, but to inform you and the Subcommittee of the possible effect which the present language of the bill would have in hampering the scope and activities of the University of Michigan Press. I hope the Committee will see fit to amend it in such a way as to exclude this possibility.

Thank you for your consideration.

Sincerely,

Lyle M. Nelson, Director
University Relations

LMN/vh

Smathers bill

(new file)

RECEIVED
NAEB HEADQUARTERS
MAR 31 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

March 28, 1958

Mr. Garnet R. Garrison
Director of Broadcasting
University of Michigan
Ann Arbor, Michigan

Dear Garnet:

When your letter about the Smathers Bill arrived today I checked with the Senttor's administrative assistant as to the appropriate method of calling attention to the negative effects it might have on educational institutions. He said that the bill would certainly be altered as a result of hearings and suggested that Chairman John Pastore of the Subcommittee of the Senate Committee on Interstate and Foreign Commerce would be the man to write to.

Since the bill under discussion is directed toward "monopoly" in music, my guess would be that the subcommittee would be grateful to have the unexpected side-effects pointed out. Michigan's letter could be made a part of the written record, obviating any need for testimony in person.

Best regards,

Sincerely,

RE

Ralph Steetle
Executive Director

cc: Dr. Harry Skornia ✓

April 3, 1958

Dr. Burton Paulu
Station KUOM
University of Minnesota
Minneapolis, Minnesota

Dear Burt:

Sorry our call didn't jell yesterday. I was so fagged out I finally had to go home and to bed. —— Wouldn't have made much sense if I had talked.

The only documentation I have on the Smathers Bill is:

1) Brief discussion by Leonard with us (re University of Minnesota Press, for example). Nothing in writing. Marks asked us about. We didn't at that time see any danger.

2) Garrison letter (photo attached)

3) My March 28 note (photo attached)

4) Steetle's reply to Garrison (photo attached)

5) Paul Dobin, in Marks' office, called 4/2. Thought maybe we should file or provide testimony. But had impression you'd earlier thought we shouldn't; hence my wire to you. I suggest we have him file on behalf of the NAEB as suggested in Steetle letter.

Sincerely,

Harry J. Skornia
Executive Director

HJS/dfc
CC: Paul Dobin
Cohn and Marks

To: Leonard Marks (or in his absence):
Marcus Cohn

From: H. J. Skornia

Date: March 28, 1958

Could you give me a quick reaction on this, please, with a copy to Garnet Garrison?

In (Friday afternoon) haste.

Sincerely,

Harry J. Skornia
Executive Director

HJS/dfc
CC: Dr. Paulu (with photo)
Dr. Garrison
Enclosure: Photo of Garnet's letter

UNIVERSITY OF MICHIGAN
ANN ARBOR, MICHIGAN

March 27, 1958

GARNET R. GARRISON
Director of Broadcasting

310 MAYNARD STREET

RECEIVED
NAEB HEADQUARTERS
MAR 28 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

Dr. Harry Skornia, Executive Director
National Association of Educational Broadcasters
14 Gregory Hall
Urbana, Illinois

Dear Harry:

Dean Moore of our School of Music has called to the attention of Lyle Nelson, Director of University Relations, and the Chairman of the Executive Committee on Broadcasting certain phrases in the Smather Bill which is before Congress.

The Dean's note reads in part as follows:

"In clearing my desk at home, I came across "Books from Ann Arbor, The University Press, Spring, 1958." On one of the pages I find a listing of a publication of music, namely, Ross Lee Finney, 'Sixth String Quartet in E,' and 'Quintet for Piano and Strings.'

This started a train of thought in my mind relative to the Smather Bill. The University Press has published other items of music, namely, two very large works by Louise Cuyler, and we anticipate the press continuing such publication when available scholarly transcriptions or new compositions appear to be appropriate.

The point at issue is that the Smather Bill, if enacted, would prohibit the University of Michigan Press from such publications or the University would have to give up its Radio Station, and I quote Section 1 of the Bill: 'No construction permit or license for broadcasting stations shall be granted to or held by any person or corporation engaged in or which owns any interest in, a corporation engaged in the business of publishing music or of manufacturing or selling recordings of musical compositions.' Another paragraph of the Bill proposes: 'If any licensee is in violation of paragraph 1 (quoted above), on the date of enactment of this subsection, provisions of paragraph 1 shall

H 1
copy

> be suspended with respect to such licensee for such time as the commission determines to be reasonable in each case to enable such licensee to dispose of the property which causes him to be in violation of such paragraph, or to transfer or surrender his license pursuant to provisions of this act."

My question is, has the NAEB taken any action or contemplating any representation before Congress relating to the possible implications for educational institutions which have university presses and a radio or television station?

What might we do here to present our concern and to indicate the implications for us. Dean Moore has recommended that we submit a statement. Do you have any immediate recommendations for our guidance?

Cordially,

Garnet R. Garrison

cmt

P.S. I am sending a copy of this letter to Ralph Steetle to see what the JCET has done or is planning to do in this matter.

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

Smathers Bill

NAEB

OFFICE OF THE PRESIDENT

Station KUOM
University of Minnesota
Minneapolis 14, Minnesota

April 16, 1958

RECEIVED
NAEB HEADQUARTERS
APR 17 1958
AM PM
7 8 9 10 11 12 1 2 3 4 5 6

Dr. Harry J. Skornia
NAEB
14 Gregory Hall
University of Illinois
Urbana, Illinois

Dear Harry:

Commenting on Marcus Cohn's letter to you of April 12 about the Smathers Bill (with carbons to Garnet Garrison and me), it is my recommendation that we have Marcus request an opportunity for us to appear. By "appear" I don't mean necessarily that you or I should have to go to Washington to testify; it might be sufficient if we merely file some sort of statement with the committee, though of course counsel's advice would obtain here.

I also think that we should, as Marcus puts it, "neither support nor oppose the bill, at the hearing, but should merely ask that the bill be amended so as to exclude licensees who are educational institutions."

In view of the fact that the May hearings will probably come after our Board meeting in Columbus, I don't think we need to ask for Board approval now. We can discuss it then, and if they disavow us, we can withdraw (though I doubt they would).

Yours sincerely,

Burton Paulu
President

BP:kls
CC: Garnet Garrison
Marcus Cohn

Smathers Bill

April 15, 1958

Mr. Marcus Cohn
Cohn and Marks
317 Cafritz Building
Washington 6, D. C.

Dear Marcus:

This will authorize your requesting permission for the NAEB to be represented in connection with the Smathers Bill.

As witnesses, if needed, I recommend:

Burton Paulu and/or
Garnet Garrison and/or

other representatives of universities with Presses as well as broadcast facilities. This detail we can go into later. Since this will require neither favoring nor opposing the bill itself, I'm proceeding on my own authority for review by the Board at its early May meeting. I would assume we would provide no witness until the May hearings, and this letter assumes such a date.

Sincerely,

Harry J. Skornia
Executive Director

HJS/dfc
CC: Burton Paulu
Garnet Garrison

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

April 12, 1958

RECEIVED
NAEB HEADQUARTERS
APR 14 1958
A.M. 7|8|9|10|11|12|1|2|3|4|5|6 P.M.

Dr. Harry J. Skornia
Executive Director, NAEB
119 Gregory Hall
Urbana, Illinois

I have your letter of April 8th.

The Senate Interstate and Foreign Commerce Committee will give an opportunity to the opponents of the bill to testify on April 14, 15 and 16 and then again in the middle of May. It is my recommendation, in the light of your and Burt's letter, that what we should do, at this time, is request an opportunity to appear at the May hearings. Will you please confirm our authorization to make this request on behalf of the NAEB. I agree with you that we should neither support nor oppose the bill, at the hearing, but should merely ask that the bill be amended so as to exclude licensees who are educational institutions.

Sincerely

Marcus Cohn

cc: Garnet Garrison
Burton Paulu

Hans, —

Don's home

Samuels' address.

Please forward his

copy.

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

April 12, 1958

Dr. Harry J. Skornia
Executive Director, NAEB
119 Gregory Hall
Urbana, Illinois

I have your letter of April 8th.

The Senate Interstate and Foreign Commerce Committee will give an opportunity to the opponents of the bill to testify on April 14, 15 and 16 and then again in the middle of May. It is my recommendation, in the light of your and Burt's letter, that what we should do, at this time, is request an opportunity to appear at the May hearings. Will you please confirm our authorization to make this request on behalf of the NAEB. I agree with you that we should neither support nor oppose the bill, at the hearing, but should merely ask that the bill be amended so as to exclude licensees who are educational institutions.

Sincerely

Marcus Cohn

cc: Garnet Garrison
Burton Paulu

COPY

April 21, 1958

Mr. Marcus Cohn
Cafritz Building
Washington 6, D. C.

Dear Marcus:

Garnet Garrison's address:

Dr. Garnet Garrison, Director of ~~Television~~ Broadcasting
University of Michigan
310 Maynard Street
Ann Arbor, Michigan

I'm sending a copy of this note to him and Paulu, with the request that they send us brief factual statements appropriate for your use. Garnet's earlier statement outlined it pretty well, but I thought he might like to develop it a little more. I shall hope Burton Paulu can add one, and shall send notes to Richard Hull, Armand Hunter, H. B. McCarty, Sam Becker, Jack McBride, and Frank Schooley for additional assistance if possible. In view of the briefness of time I'm not sure that such broader coverage can be secured at this busy season. I'll get to you the best statement I can very shortly.

Sincerely,

Harry J. Skornia
Executive Director

HJS:cmc

cc: Garnet Garrison
Burton Paulu
Richard Hull
Armand Hunter
Frank Schooley
Sam Becker
H. B. McCarty
Jack McBride

April 8, 1958

Mr. Paul Dobin
c/o Cohn and Marks, Attorneys
Cafritz Building
Washington 6, D. C.

Dear Paul:

Attached is Burton's reply regarding the Smathers Bill. ← file

Please consider yourselves, as our legal counsel, requested and authorized to try to get it amended to exclude the type of problem outlined by Garnet Garrison.

We obviously don't want to oppose the bill itself, since, as Burt points out, we'd be opposing what appears to be otherwise a pretty fair document.

Sincerely,

Harry J. Sharnik
Executive Director

HJS:cmc
Encl.

cc: Garnet Garrison
Burton Paulu
Ralph Steetle

NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

NAEB

OFFICE OF THE PRESIDENT

Station KUOM
University of Minnesota
Minneapolis 14, Minnesota

April 7, 1958

RECEIVED
NAEB HEADQUARTERS
APR 8 1958
7|8|9|10|11|12|1|2|3|4|5|6 PM

Dr. Harry J. Skornia
NAEB Headquarters
14 Gregory Hall
Urbana, Illinois

Dear Harry:

Relative to the Smathers Bill:

If the Smathers Bill actually would prohibit a university which publishes music or sells recordings of musical compositions from licensing a television station, then we ought to do something about it--and inform Garrison and company that we are!

The question is just what should we do? We don't want to put ourselves in the position of pulling BMI's chestnuts out of the fire! That, undoubtedly, is what they intended in bringing this up with Marks.

If the bill as it presently stands actually would prohibit the University of Michigan from publishing music and licensing a station, wouldn't it be possible to somehow amend the bill so as to exclude educational organizations? This would protect the rights of educational institutions without embroiling us in the whole to-do between music publishers and broadcasters.

Only as the last resort, in my opinion, should we actually oppose the bill as such; this is not basically our fight; and, we don't want to be pulling the chestnuts out of the fire for any of the commercial boys. (If this can be done without appearing to testify, so much the better, since it is easier and cheaper.)

Yours sincerely,

Burton

Burton Paulu
President

BP:ds

P. S. So, would you get in touch with Dobin, and keep me informed on developments?

April 21, 1958

TO: Armand Hunter
Sam Becker
E. B. McCarty

Gentlemen:

You have received carbons of a letter from me to Marcus Cohn dated_____(?) (god! half of 'em were undated!) starting with Garnet Garrison's address. These got into the mail before I had a chance to proof, check, or add an explanatory note. Here is that note:

On March 27, I received a letter from Garnet Garrison, containing the following three paragraphs:

"The point at issue is that the Smather Bill, if enacted would prohibit the University of Michigan Press from such publications or the University would have to give up its Radio Station, and I quote Section 1 of the Bill: 'No construction permit or license for broadcasting stations shall be granted to or held by any person or corporation engaged in or which owns any interest in, a corporation engaged in the business of publishing music or of manufacturing or selling recordings of musical compositions.' Another paragraph of the Bill proposes: 'If any licensee is in violation of paragraph 1 (quoted above), on the date of enactment of this subsection, provisions of paragraph 1 shall be suspended with respect to such licensee for such time as the commission determines to be reasonable in each case to enable such licensee to dispose of the property which causes him to be in violation of such paragraph, or to transfer or surrender his license pursuant to provisions of this act.'

"My question is, has the NAEB taken any action or contemplating any representation before Congress relating to the possible implications for educational institutions which have university presses and a radio or television station?

"What might we do here to present our concern and to indicate the implications for us. Dean Moore has recommended that we submit a statement. Do you have any immediate recommendations for our guidance?"

TO: Messrs Hunter, Becker and McCarty (continued) April 21, 1958

Following this, we've had exchanges out of which it was decided that (and here I quote from Marcus Cohn's letter to Senator John Pastore):

"We do not intend to offer testimony either in support or in opposition to it. We want to make certain that if the bill is enacted it would exempt those of our members who would otherwise be included under its terms."

Marcus, in his letter of April 18, says:

"The odds are that we will be called upon to testify on either May 8 or 9.

"I am leaving town next week and will be gone until May 5th. I suggest that you proceed with the preparation of the factual data. Once we have that, we can go ahead and prepare a draft of the testimony itself. In essence, that testimony will (a) give the Committee an insight into the problems which would be created for some of our members if the legislation were enacted and (b) then offer language which would specifically exempt educational institutions."

This letter to you gentlemen is to request the sort of statements we can use for the testimony we've requested an opportunity to present.

May we hear from you as soon as possible, please?

TO: Garnet Garrison
Burton Paulu
Richard Hull
Frank Schooley
Jack McBride

To those listed immediately above: we make the same request of you. Fortunately your carbons of my letter of today to Cohn are attached. Please let us hear from you.

Sincerely,

H. J. Skornia
Executive Director

HJS:jg
CC: For information: Marcus Cohn

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

April 18, 1958

RECEIVED
NAEB HEADQUARTERS
APR 21 1958
AM 7|8|9|10|11|12|1|2|3|4|5|6 PM

Dr. Harry J. Skornia
Executive Director, NAEB
14 Gregory Hall
University of Illinois
Urbana, Illinois

Dear Harry

I have your letter of April 15th.

I am herewith enclosing a copy of my letter to Senator Pastore requesting time for the presentation of our testimony.

The odds are that we will be called upon to testify on either May 8 or 9.

I am leaving town next week and will be gone until May 5th. I suggest that you proceed with the preparation of the factual data. Once we have that, we can go ahead and prepare a draft of the testimony itself. In essence, that testimony will (a) give the Committee an insight into the problems which would be created for some of our members if the legislation were enacted and (b) then offer language which would specifically exempt educational institutions.

During my absence, please be in touch with Paul Dobin who is thoroughly familiar with the problem.

Sincerely

Marcus Cohn

Enclosure

cc: Burton Paulu
Garnet Garrison

MARCUS COHN
LEONARD H. MARKS
PAUL DOBIN
STANLEY S. NEUSTADT
STANLEY B. COHEN

LAW OFFICES
COHN AND MARKS
CAFRITZ BUILDING
WASHINGTON 6, D. C.

TELEPHONE
STERLING 3-5880

CABLE ADDRESS
COMAR-WASHINGTON, D. C.

April 18, 1958

COPY

Honorable John O. Pastore
Chairman, Committee on Communications
Senate Committee on Interstate and
Foreign Relations
Senate Office Building
Washington, D. C.

Dear Senator

We are counsel for the National Association of Educational Broadcasters. S.2834 may have an effect on some of our members and, consequently, we request the opportunity to appear and testify on the bill.

We do not intend to offer testimony either in support or in opposition to it. We want to make certain that if the bill is enacted it would exempt those of our members who would otherwise be included under its terms.

Will you please advise me as to the date upon which such testimony can be received by your subcommittee.

Sincerely

Marcus Cohn

Scanned from the National Association of Educational Broadcasters Records
at the Wisconsin Historical Society as part of
"Unlocking the Airwaves: Revitalizing an Early Public and Educational Radio Collection."

A collaboration among the Maryland Institute for Technology in the Humanities,
University of Wisconsin-Madison Department of Communication Arts,
and Wisconsin Historical Society.

Supported by a Humanities Collections and Reference Resources grant from
the National Endowment for the Humanities

MITH MARYLAND INSTITUTE FOR TECHNOLOGY IN THE HUMANITIES

UNIVERSITY OF MARYLAND

WISCONSIN HISTORICAL SOCIETY

WISCONSIN UNIVERSITY OF WISCONSIN-MADISON

NATIONAL ENDOWMENT FOR THE Humanities

Any views, findings, conclusions, or recommendations expressed in this publication/collection do not necessarily reflect those of the National Endowment for the Humanities